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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 JOSHUA MCCABE,

10 Petitioner,

11 vs.

12 HOWARD SKOLNIK, et al.,

13 Respondents.  
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Case No. 3:10-CV-00613-LRH-(VPC)

**ORDER**

15 The court ordered (#3) petitioner to file a complete application to proceed in forma pauperis  
16 or to pay the \$5 filing fee. Petitioner has not complied with the court's order within the allotted  
17 time.

18 IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for  
19 petitioner's failure to comply with the court's order (#3). The clerk of the court shall enter  
20 judgment accordingly.

21 DATED this 15th day of December, 2010.

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25 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE  
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